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TO: Commissioner for Patents
Attn: S. Gilbert
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Timothy R. Conrad

OUR REF: 11998.5USC7
TELEPHONE: 612.336.4625

Total pages, including cover letter: 13PTO FAX NUMBER 1-703-872-9306

If you do NOT receive all of the pages, please telephone us at 612.332.5300, or fax us at 612.332.9081.

Title of Document Transmitted:

Amendment and Terminal Disclaimer to
Obviate a Provisional Double Patenting
Rejection over a Pending Second Application

Applicant: Alferness et al.
Serial No.: 10/809,961
Filed: March 26, 2004
Group Art Unit: 3736
Our Ref. No.: 11998.7USC7
Confirmation No. 7914

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Please charge Deposit Account No. 13-2725 in the amount of \$375.00 for Extra Claim Fees and \$65.00 for filing a Terminal Disclaimer. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: [Signature]
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S/N 10/809,961

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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ALFERNES ET AL.	Examiner:	S. GILBERT
Serial No.:	10/809,961	Group Art Unit:	3736
Filed:	MARCH 26, 2004	Docket No.:	11998.5USC7
Title:	METALLIC CARDIAC SUPPORT DEVICE (AS AMENDED HEREIN)		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on May 3, 2005.

By: 

Name: Kristine A. Wacck

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552

PATENT TRADEMARK OFFICE

Dear Sir:

In response to the Office Action mailed March 9, 2005, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks begin on page 7 of this paper.

05/05/2005 CNGUYEN 00000023 132725 10809961

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